

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

APR 19 2015

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Maria Enedelia Reyes

A208 164 011

YOB: 1973

Principal

United States

Case Number:

M-15-0608-M

Francisco Javier Rodriguez

A208 164 010

YOB: 1995

Co-Principal

United States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 17, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Geronimo Vasquez-Mendoza, citizen and national of Mexico, and Christian Josue Avilez-Barrientos, citizen and national of Honduras, along with three (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in Los Ebanos, Texas to the point of arrest in Sullivan City, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On April 17, 2015, Agent R. Castillo, who was working the Aerostat Camera System, observed approximately 7 people in Mexico walk to the river bank on the Mexican side 100 yards downriver of the Los Ebanos Port of Entry. Minutes later, there was a sensor activation on the US side of the river, directly across from where Agent Castillo had seen the group last. Two people, who appeared to be scouting, then were seen emerging from the brush near where the sensor activation took place.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Israel Perez

Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

April 19, 2014

Date

at McAllen, Texas

City and State

Dorina Ramos

U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

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**RE: Maria Enedelia Reyes
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**A208 164 011
A208 164 010**

CONTINUATION:

Agents D. Garcia and A. Salinas were parked in an unmarked vehicle close to some stores near the Los Ebanos Port of Entry. Agent Garcia noticed a maroon Pontiac Aztec and a white Dodge Caravan parked in the same lot as he was. The driver of the Aztec exited his vehicle and walked toward the Port of Entry, only to return to the Aztec a short time later. Several subjects then emerged from the brush nearby and boarded both the Aztec and the Caravan.

Mobile agents followed the Aztec as it departed Los Ebanos, until it pulled into a gas station at the corner of El Faro Rd. and Expressway 83 in Sullivan City, Texas. Agents pulled into the parking lot and spoke to the driver, later identified as Francisco Javier RODRIGUEZ. RODRIGUEZ told agents he was a United States citizen. He was carrying two passengers, both who admitted being illegally in the United States.

Agent Castillo, who was manning the Aerostat Camera followed the Dodge Caravan continuously until DPS stopped the vehicle on Highway 83 for following too closely. Agent R. Montemayor arrived and identified the driver as United States citizen Maria Enedelia REYES. The two passengers she was carrying both admitted being in the United States illegally.

Both United States Citizens and the five illegal aliens were transported to the Rio Grande Border Patrol Station for processing.

PRINCIPALS' STATEMENTS:

Both principals were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1- Maria Enedelia REYES told agents a man known to her as Mickey contacted her and offered her a chance to make some money picking up people. She stated she assumed the people were going to be illegal aliens because she was going to be paid to pick them up. Mickey told REYES he would pay her \$400 to pick up the people at the Los Ebanos Port of Entry and transport them to a location to be determined by Mickey. REYES called Mickey as she was entering the parking lot of the POE, and Mickey told her there would be a maroon truck there to pick up people as well. REYES told agents the red truck parked next to her. REYES was on the phone with Mickey when he told her that the illegal aliens were there. REYES then saw people emerge from the brush and she pushed a button for the automatic doors of her van to open. Three people boarded her van, and REYES told the female to sit in the front passenger seat next to her. According to REYES, she prayed and then drove off, still on the phone with Mickey. Mickey was supposed to tell her where she was going. She was later stopped by DPS.

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2- Francisco Javier RODRIGUEZ told agents he needed money, and was offered \$200 to pick up some illegal aliens at the Los Ebanos Port of Entry, also referred to as the Chalan. RODRIGUEZ called Mickey when he was on his way to the Chalan and told him he was 10 minutes away. Mickey was in contact with the foot guide of the group and relayed the color and type of vehicle RODRIGUEZ was driving. After arriving at the pick-up location, RODRIGUEZ waited for approximately 10 minutes, when he saw the illegal aliens running out of the brush. According to RODRIGUEZ, two people ran toward his vehicle and opened the door to board his truck. RODRIGUEZ told agents this is the 6th time he has picked up illegal aliens, and this is the 2nd time he has been caught. When asked if he would pick up illegal aliens again if given the chance, RODRIGUEZ stated he could not promise that he wouldn't. RODRIGUEZ also told agents he does not know REYES, but he has seen her parked at the Chalan on a previous occasion waiting for people.

NOTE: RODRIGUEZ was apprehended in March of 2015 transporting one illegal alien from the same area as the current apprehension.

MATERIAL WITNESSES' STATEMENTS:

Both material witnesses were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1- Geronimo Vasquez-Mendoza, a citizen of Mexico, told agents he illegally crossed the Rio Grande River with five other people. The guide that crossed Vasquez, told him to board a reddish car. After boarding the vehicle, it departed and later stopped at a store. There, Border Patrol arrived and questioned the driver. Vasquez identified RODRIGUEZ in a photo lineup as the driver of the vehicle.

2- Christian Josue Avilez-Barrientos, a citizen of Honduras, told agents he illegally crossed the Rio Grande River with 5 other people. When on the United States side of the river, they saw a helicopter and hid. They then ran toward a building and saw a white van with a woman in the driver's seat. The woman yelled to the people to board the van. They did and the woman then drove off. Avilez identified REYES in a photo lineup as the driver of the van.